

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JONES, ET AL.

Case No. 2:20-cv-02892-SHL-tmp

Plaintiffs,

v.

VARSITY BRANDS, LLC, ET AL.,

Defendants.

**DECLARATION OF STEVEN J. KAISER IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO AMEND COMPLAINT**

I, Steven J. Kaiser, declare as follows:

1. I am counsel in this matter to Charlesbank Capital Partners, LLC (“Charlesbank”) and Bain Capital Private Equity, LP (“Bain”), as well as Varsity Brands, LLC; Varsity Spirit, LLC; and Varsity Spirit Fashions & Supplies, LLC (hereinafter, collectively “Varsity”), and I have been personally involved in the matters described below.

2. During negotiations, Bain and Charlesbank offered to make their employees and former employees available for a combined ten depositions.

3. The identity of the investors that Plaintiffs now seek to add as defendants were known to Plaintiffs well before the November 19, 2021, deadline for seeking leave to amend the complaint in this case. In particular, the 2018 Investors that Plaintiffs seek to add as defendants were listed on a document produced to them on June 30, 2021 (VAR00314244), and the 2014 Investors that Plaintiffs seek to add as defendants were listed on a document produced to Plaintiffs on October 6, 2021 (GS-007732). Copies of these documents can be furnished to the Court on request.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 6, 2022



Steven J. Kaiser